



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

Bathe, *et al.*

Appl. No.: 09/824,551

Filed: April 4, 2001

For: **Novel Nucleotide Sequences  
Encoding the luxS-Gene**

Art Unit: to be assigned

Examiner: to be assigned

Atty. Dkt. 21123/280106

**RECEIVED**

APR 08 2002

**Information Disclosure Statement**

TECH CENTER 1600/2900

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Submitted herewith is a listing of documents known to Applicants and/or their attorney in compliance with the requirements of 37 C.F.R. § 1.56. Copies of the listed documents are enclosed. Also enclosed is a copy of the International Search Report for corresponding international application PCT/EP01/090905, dated March 12, 2002.

Applicants do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the present application. This statement should not be construed as a representation that more material information does not exist or that an exhaustive search of the relevant art has been made.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned attorney submits the following concise explanation of the relevance of the non-English language documents cited on the accompanying form:

Reference GR, foreign patent document EP 0 435 132, discloses a process for increasing the production of amino acids, especially lysine, using *Corynebacterium* or

Brevibacterium which contain recombinant DNA sequences for both dihydro-dipicolinate synthase and de-regulated aspartate kinase. An English language abstract corresponding to this document is enclosed herewith and is cited on the accompanying list of references as document SR.

Consideration of the cited documents and making the same of record in the prosecution of the above-captioned application are respectfully requested. It is not believed that any fee is due for the filing of the present Information Disclosure Statement. However, any fee that may be required may be charged to our Deposit Account No. 03-3975 under Order No. 21123/280106.

Respectfully submitted,  
PILLSBURY WINTHROP, LLP

*Michael A. Sanzo*

Michael A. Sanzo  
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Date: April 1, 2002  
1600 Tysons Boulevard  
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MAS/amx  
enclosure

FORM PTO-1449 (modified)  
To: U.S. Department of Commerce  
(PW FORM PAT-1449)  
Patent and Trademark Office

Atty.  
Dkt. No.

M#

Client Ref.

280106

000457 BT

INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT

Applicant: Bathe, et al.

Appln. No.: 09/824,551

Filing Date: April 4, 2001

Examiner: to be assigned

Group Art Unit: to be assign

Date: April 2, 2002

Page

1

of

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U.S. PATENT DOCUMENTS

Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR					
	BR					
	CR					
	DR					
	ER					
	FR					

TECH CENTER 1600/2900

FOREIGN PATENT DOCUMENTS

		Document Number	Date MM/YYYY	Country	Inventor Name	English Abstract		Translation Readily Available	
						Enclosed	No	Enclose	No
KK	GR	EP 0 435 132	07/1990	EUROPE			✓		✓
KK	HR	EP 1 108 790	06/2001	EUROPE					
	IR								
	JR								
	KR								
	LR								
	MR								
	NR								
	OR								
	PR								

OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)

KK	QR	Kramer, et al., "Genetic and physiological approaches for the production of amino acids," Journal of Biotechnology, Vol. 45, No. 1, 1996, pg. 1-21							
KK	RR	Peters-Wendisch, et al., "Pyruvate carboxylase from Corynebacterium glutamicum: characterization, expression and inactivation of the pyc gene," Microbiology, Vol. 144, No. 4, 1998, pg. 915-927							
KK	SR	English language abstract of GR above.							
	TR								
	UR								
	VR								
	WR								
	XR								
	YR								
	ZR								

Examiner

Date Considered: 11/21/02

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.